

# 435 67-25-A **PETITION FOR ZONING VARIANCE**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3G.1 to permit a front yard setback of 24 feet in lieu of the average 30 feet and a side street setback of 15 feet in lieu of the required 25 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Need more living space
2. Family growing
3. Kitchen too small for whole family to eat in.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of N.B.530 Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_

Legal Owner(s):  
Lawrence H. Berry  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_

MAP SE 2 P  
4A  
E.D. 12  
DATE 3-25-87  
BY [Signature]  
BY [Signature]  
BY [Signature]

IN RE: PETITION FOR ZONING VARIANCES \* BEFORE THE  
SW/corner of Page Drive and \* DEPUTY ZONING COMMISSIONER  
Ashwood Road (2707 Page Dr.) \* OF BALTIMORE COUNTY  
12th Election District \*  
Lawrence H. Berry, et ux \* Case No. 87-25-A  
Petitioners \*

The Petitioners herein request a zoning variance to permit a front yard setback of 24 feet in lieu of the average 30 feet and a side street setback of 15 feet in lieu of the required 25 feet to construct a living room addition.

Testimony by the Petitioners indicates that their existing home provides no dining room and inadequate living space for a family with four children. The proposed living room addition cannot be located on the south side of the dwelling because of the internal arrangement of existing bedrooms.

There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, and the variance requested would not adversely affect the health, safety, and general welfare of the community, it is determined that the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 7th day of August, 1986, that the herein request for a zoning variance to permit a front yard setback of 24 feet and a side street setback of 15 feet in accordance with the plan submitted herein, is hereby GRANTED, from the date of this Order.

Jean M.H. Jung  
Deputy Zoning Commissioner  
of Baltimore County

ORDER RECEIVED FOR FILING  
DATE 8/10/86  
BY [Signature]

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 7, 1986

Mr. & Mrs. Lawrence H. Berry  
2707 Page Drive  
Baltimore, Maryland 21222

RE: Petition for Zoning Variance  
SW/corner of Page Drive and  
Ashwood Road  
12th Election District  
Case No. 87-25-A

Dear Mr. & Mrs. Berry:

Please be advised that your request for a zoning variance in the above referenced case has been granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Jean M.H. Jung  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ:bjs

Attachments

cc: People's Counsel

DESCRIPTION FOR VARIANCE  
2707 PAGE DRIVE  
12TH ELECTION DISTRICT

Beginning on the southwest corner of Page Drive (55' wide) and Ashwood Road (50' wide) and being Lot no. 322 as shown on the plat of "Gray Manor #2" which is recorded among the Land Records of Baltimore County in Plat Book No. 13, Folio 34.  
Containing 0.185 acres of land, more or less.

ORDER RECEIVED FOR FILING  
DATE 8/10/86  
BY [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of June, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 5th day of August, 1986, at 9:30 o'clock.

[Signature]  
Zoning Commissioner of Baltimore County.  
(over)

Lawrence H. Berry, et ux  
(2707 Page Dr. and Ashwood Rd.)  
12th Election District

PETITION FOR ZONING VARIANCES  
12th Election District  
Case No. 87-25-A

LOCATION: Southwest Corner of Page Drive and Ashwood Rd.  
(2707 Page Drive)

DATE AND TIME: Tuesday, August 5, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a front yard setback of 24 feet in lieu of the average 30 feet and a side street setback of 15 feet in lieu of the required 25 feet

Being the property of Lawrence H. Berry, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES \* BEFORE THE ZONING COMMISSIONER  
SW Corner of Page Dr. \* OF BALTIMORE COUNTY  
and Ashwood Rd. (2707 \*  
Page Dr.), 12th District \*  
LAWRENCE H. BERRY, et ux, \* Case No. 87-25-A  
Petitioners \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

JUL 7 AM  
[Clock face showing 7:00 AM]

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County  
Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 3rd day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Lawrence H. Berry, 2707 Page Drive, Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman  
Peter Max Zimmerman

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

July 29, 1986

Mr. Lawrence H. Berry  
Mrs. Sandra L. Berry  
2707 Page Drive  
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCES  
SW/cor. of Page Dr. and Ashwood Rd.  
(2707 Page Dr.)  
12th Election District  
Lawrence H. Berry, et ux - Petitioners  
Case No. 87-25-A

Dear Mr. and Mrs. Berry:

This is to advise you that \$66.95 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 223, Court House, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE 8/5/86 ACCOUNT 8-01-615-000  
SIGN & POST RETURNED  
AMOUNT \$ 66.95  
Lawrence H. Berry, 2707 Page Dr., Baltco., Md.  
21222  
RECEIVED FROM  
APPEARANCE & POSTING RE CASE #87-25-A  
FOR \$ 66.95  
VALIDATION OR SIGNATURE OF CARRIER

## **CERTIFICATE OF POSTING**

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

87-25-A

District 12th  
Posted for Variance  
Petitioner: Lawrence H. Berry, et ux  
Location of property: SW/cor. Page Dr. & Ashwood Rd.  
2707 Page Drive  
Location of Sign: Facing Intersection of Page Dr. & Ashwood Rd.  
approx. 20' from sidewalk, on property of Petitioner.  
Remarks:  
Posted by [Signature]  
Number of Signs: 1  
Date of return: 7/31/86



# CERTIFICATE OF PUBLICATION

TOWSON, MD., July 17, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

July 17, 1986

THE JEFFERSONIAN,

*Lisa S. S. S. S.*  
Publisher

Cost of Advertising

24.75

1. Noter Service - Existing  
2. Sewer Service - Existing

# CERTIFICATE OF PUBLICATION

OFFICE OF  
Dundalk Eagle

38 N. Dundalk Ave. July 24, 1986  
Dundalk, Md. 21222

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Var. - Case # 87-25-A - P.O. 477950 - Req. #L85757 - 68 lines # 27 was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 18th day of July 1986; that is to say, the same was inserted in the issues of July 17, 1986

Kimbel Publication, Inc.  
per Publisher.

By *K.C. Orlie*

1. Noter Service - Existing  
2. Sewer Service - Existing

Mr. Lawrence H. Berry  
Mrs. Sandra L. Berry  
2707 Page Drive  
Baltimore, Maryland 21222

June 27, 1986

## NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES  
SW/cor. of Page Dr. and Ashwood Rd.  
(2707 Page Dr.)  
12th Election District  
Lawrence H. Berry, et ux - Petitioners  
Case No. 87-25-A

TIME: 9:30 a.m.

DATE: Tuesday, August 5, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*Arnold Jablon*  
Zoning Commissioner  
Baltimore County

BALTIMORE COUNTY, MARYLAND No. 021643

OFFICE OF FINANCE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 8/21/86 ACCOUNT: 01-615

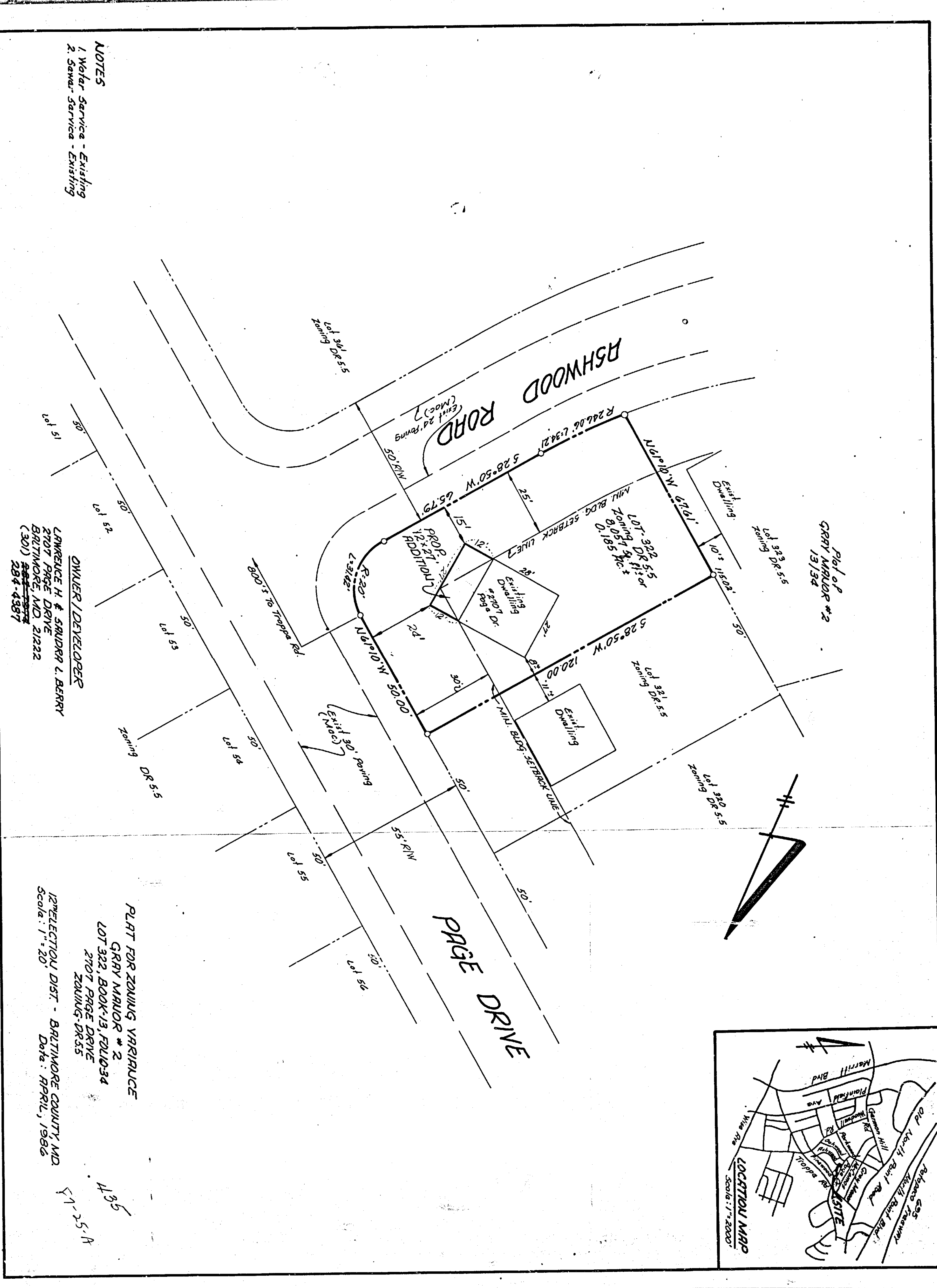
AMOUNT: \$ 25.00

PAID TO: SANDRA BERRY

FOR: FILING PETITION VARIANCE 11th No. 435

8 8098\*\*\*2350014 222F

VALIDATION OR SIGNATURE OF CARRIER



87-25-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
24th day of June, 1986

*Arnold Jablon*  
Zoning Commissioner

Petitioner: Lawrence H. Berry, et ux  
Attorney: \_\_\_\_\_

Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner Date: July 18, 1986

Norman E. Gerber, AICP, Director  
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 87-25-A, 87-26-A, 87-29-A, 87-32-A,  
87-34-A and 87-36-A

There are no comprehensive planning factors requiring comment on these petitions.

*Norman E. Gerber*  
Norman E. Gerber, AICP  
Director

NEG:JGH:slm

CPS-00A

JUN 19 1987



# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 17, 1986

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of  
Engineering

Department of  
Traffic Engineering  
State Roads Commission

Bureau of  
Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial  
Development

Mr. Lawrence H. Berry  
2707 Page Drive  
Baltimore, Maryland 21222

RE: Item No. 435 - Case No. 87-25-A  
Petitioner: Lawrence H. Berry, et ux  
Petition for Zoning Variance

Dear Mr. Berry:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER

Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

June 3, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

RE: Property Owner: Lawrence H. Berry, et ux

Location: SW corner Page Drive & Ashwood Road

Item No.: 435

Zoning Agenda: Meeting of June 3, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill*  
Planning Group  
Special Inspection Division

Noted and  
Approved:

*John F. O'Neill*  
Fire Prevention Bureau

/mb



BALTIMORE COUNTY  
DEPARTMENT OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204

NORMAN E. GENDER  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

JULY 11, 1986

Re: Zoning Advisory Meeting of JUNE 3, 1986  
Item # 435  
Property Owner: LAWRENCE H. BERRY, et ux

Location: SW COR. OF PAGE DR. & ASHWOOD RD. (2707 PAGE DR.)

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The circulation on this site is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) Parking calculations must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- ( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board.
- ( ) Landscaping: Must comply with Baltimore County Landscape Manual.
- ( ) The property is located in a deficient service area as defined by Bill 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- ( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 173-79, and as conditions change are re-evaluated annually by the County Council.
- ( ) Additional comments: \_\_\_\_\_

cc: James H. Haskett

Eugene A. Robb  
Chief, Current Planning and Development



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

July 9, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 435 Zoning Advisory Committee Meeting are as follows:

Property Owner: Lawrence H. Berry, et ux  
Location: SW corner Page Drive and Ashwood Road  
District: 12th.

APPLICABLE ITEMS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 1401, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 1401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_, or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments: \_\_\_\_\_
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

*Charles E. Burman*  
By: C. E. Burman, Chief  
Building Plans Review

L/22/86



# 435 87-25-A **PETITION FOR ZONING VARIANCE**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3G.1 to permit a front yard setback of 24 feet in lieu of the average 30 feet and a side street setback of 15 feet in lieu of the required 25 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Need more living space
2. Family growing
3. Kitchen too small for whole family to eat in.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of N.B.530 Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_

Legal Owner(s):  
Lawrence H. Berry  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_

Sandra L. Berry  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_

MAP SE 2 F  
4A  
E. D. 12  
DATE 3-25-87  
BY [Signature]  
BY [Signature]  
BY [Signature]

ORDER RECEIVED FOR FILING  
DATE 8/1/86  
BY [Signature]

IN RE: PETITION FOR ZONING VARIANCES \* BEFORE THE  
SW/corner of Page Drive and \* DEPUTY ZONING COMMISSIONER  
Ashwood Road (2707 Page Dr.) \* OF BALTIMORE COUNTY  
12th Election District \*  
Lawrence H. Berry, et ux \* Case No. 87-25-A  
Petitioners \*

The Petitioners herein request a zoning variance to permit a front yard setback of 24 feet in lieu of the average 30 feet and a side street setback of 15 feet in lieu of the required 25 feet to construct a living room addition.

Testimony by the Petitioners indicates that their existing home provides no dining room and inadequate living space for a family with four children. The proposed living room addition cannot be located on the south side of the dwelling because of the internal arrangement of existing bedrooms.

There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, and the variance requested would not adversely affect the health, safety, and general welfare of the community, it is determined that the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 7th day of August, 1986, that the herein request for a zoning variance to permit a front yard setback of 24 feet and a side street setback of 15 feet in accordance with the plan submitted herein, is hereby GRANTED, from the date of this Order.

Jean M. H. Jung  
Deputy Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 7, 1986

Mr. & Mrs. Lawrence H. Berry  
2707 Page Drive  
Baltimore, Maryland 21222

RE: Petition for Zoning Variance  
SW/corner of Page Drive and  
Ashwood Road  
12th Election District  
Case No. 87-25-A

Dear Mr. & Mrs. Berry:

Please be advised that your request for a zoning variance in the above referenced case has been granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Jean M. H. Jung  
Deputy Zoning Commissioner

JMHJ:bjs

Attachments

cc: People's Counsel

DESCRIPTION FOR VARIANCE  
2707 PAGE DRIVE  
12TH ELECTION DISTRICT

Beginning on the southwest corner of Page Drive (55' wide) and Ashwood Road (50' wide) and being Lot no. 322 as shown on the plat of "Gray Manor #2" which is recorded among the Land Records of Baltimore County in Plat Book No. 13, Folio 34.

Containing 0.185 acres of land, more or less.

ORDER RECEIVED FOR FILING  
DATE 8/1/86  
BY [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of June, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 5th day of August, 1986, at 9:30 o'clock.

Charles J. Jahn  
Zoning Commissioner of Baltimore County.

(over)

Lawrence H. Berry, et ux  
(2707 Page Dr. and Ashwood Rd.)  
12th Election District

PETITION FOR ZONING VARIANCES  
12th Election District  
Case No. 87-25-A

LOCATION: Southwest Corner of Page Drive and Ashwood Rd.  
(2707 Page Drive)

DATE AND TIME: Tuesday, August 5, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variations to permit a front yard setback of 24 feet in lieu of the average 30 feet and a side street setback of 15 feet in lieu of the required 25 feet

Being the property of Lawrence H. Berry, et ux, as shown on plat plan filed with the Zoning Office.

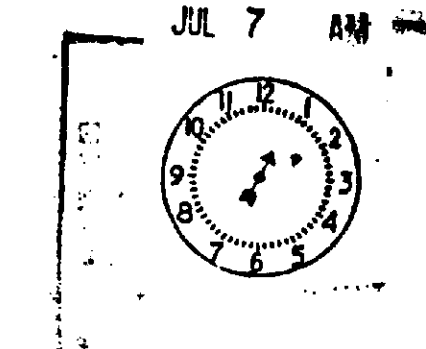
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES \* BEFORE THE ZONING COMMISSIONER  
SW Corner of Page Dr. \* OF BALTIMORE COUNTY  
and Ashwood Rd. (2707 \*  
Page Dr.), 12th District \*  
LAWRENCE H. BERRY, et ux, \* Case No. 87-25-A  
Petitioners \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 3rd day of July, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Lawrence H. Berry, 2707 Page Drive, Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman  
Peter Max Zimmerman

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

July 29, 1986

Mr. Lawrence H. Berry  
Mrs. Sandra L. Berry  
2707 Page Drive  
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCES  
SW/cor. of Page Dr. and Ashwood Rd.  
(2707 Page Dr.)  
12th Election District  
Lawrence H. Berry, et ux - Petitioners  
Case No. 87-25-A

Dear Mr. and Mrs. Berry:

This is to advise you that \$66.95 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 223, Court House, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE 8/5/86 ACCOUNT 2-01-615-000  
SIGN & POST RETURNED  
AMOUNT \$ 66.95  
Lawrence H. Berry, 2707 Page Dr., Baltco., Md.  
21222  
RECEIVED FROM  
APPEARANCE & POSTING RE CASE #87-25-A  
FOR \$ 66.95  
VALIDATION OR SIGNATURE OF CARRIER

## **CERTIFICATE OF POSTING**

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

87-25-A

District 12th  
Posted for Variance  
Petitioner: Lawrence H. Berry, et ux  
Location of property: SW/cor. Page Dr. & Ashwood Rd.  
2707 Page Drive  
Location of Sign: Facing Intersection at Page Dr. & Ashwood Rd.  
approx. 20' from sidewalk, on property of Petitioner.  
Remarks:  
Posted by [Signature]  
Number of Signs: 1  
Date of return: 7/31/86



[illegible]

24.75

[illegible]

By K. C. Delke

  
Zoning Commissioner  
re County

8 8098\*\*\*35201a 8228F

VALIDATION OR SIGNATURE OF CARRIER

[illegible]

PLAT FOR ZONING VARIANCE  
GRAY MANOR # 2  
LOT 322, BOOK 15, P. 10634  
2707 PAGE DRIVE  
ZONING: PD-35

12<sup>TH</sup> SELECTON DIST. - BALTIMORE COUNTY, MD  
Scale: 1" = 20'  
Date: APRIL, 1986

435  
47-25-A

CPS-on

[illegible]



# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 17, 1986

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of  
Engineering  
Department of  
Traffic Engineering  
State Roads Commission  
Bureau of  
Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial  
Development

Mr. Lawrence H. Berry  
2707 Page Drive  
Baltimore, Maryland 21222

RE: Item No. 435 - Case No. 87-25-A  
Petitioner: Lawrence H. Berry, et ux  
Petition for Zoning Variance

Dear Mr. Berry:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

June 3, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

RE: Property Owner: Lawrence H. Berry, et ux

Location: SW corner Page Drive & Ashwood Road

Item No.: 435

Zoning Agenda: Meeting of June 3, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ( X ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill*  
Planning Group  
Special Inspection Division

Noted and  
Approved: *John F. O'Neill*  
Fire Prevention Bureau

/mb



BALTIMORE COUNTY  
DEPARTMENT OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204

NORMAN E. GENDER  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

JULY 11, 1986

Re: Zoning Advisory Meeting of JUNE 3, 1986  
Item # 435  
Property Owner: LAWRENCE H. BERRY, et ux  
Location: SW COR. OF PAGE DR. & ASHWOOD RD. (2707 PAGE DR.)

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ( X ) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The circulation on this site is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) Parking calculations must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- ( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board.
- ( ) Landscaping: Must comply with Baltimore County Landscape Manual.
- ( ) The property is located in a deficient service area as defined by Bill 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- ( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 173-79, and as conditions change are re-evaluated annually by the County Council.
- ( ) Additional comments: \_\_\_\_\_

cc: James H. Baker

Eugene A. Baber  
Chief, Current Planning and Development



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

July 9, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 435 Zoning Advisory Committee Meeting are as follows:  
Property Owner: Lawrence H. Berry, et ux  
Location: SW corner Page Drive and Ashwood Road  
District: 12th.

APPLICABLE ITEMS ARE CIRCLED:

- ( A ) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ( B ) A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 1401, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 1401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_, or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments: \_\_\_\_\_
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

*Charles E. Burman*  
By: C. E. Burman, Chief  
Building Plans Review

L/22/86